

## Message Text

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TO ALL DIPLOMATIC POSTS

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CINCPAC & USCINCEUR FOR POLADS; KUWAIT POUCH BAGHDAD

FOLLOWING SENT ACTION SECSTATE DTD 151913Z SEP 76

QUOTE UNCLAS USUN 3725

FROM US LOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: WEEKLY SUMMARY LAW OF THE SEA CONFERENCE  
SEPTEMBER 6 - SEPTEMBER 10

COMMITTEE I:

1. THE COMMITTEE I WORKSHOP CONCLUDED ITS DISCUSSION  
ON THE SYSTEM OF EXPLOITATION EARLY LAST WEEK WITHOUT  
REACHING ANY SPECIFIC AGREEMENT. THE COMMITTEE DECIDED  
NOT TO TAKE UP THE ASSEMBLY AND COUNCIL IN VIEW OF THE  
LACK OF TIME AND MET INSTEAD IN FORMAL SESSION TO HEAR  
THE CO-CHAIRMEN'S FINAL REPORT AND TO MAKE GENERAL  
COMMENTS ON THE SESSION. MOST DELEGATIONS EXPRESSED  
DISAPPOINTMENT AT THE LACK OF CONCRETE RESULTS IN THIS  
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SESSION AND THEIR HOPE THAT ALL DELEGATIONS WOULD COME

PREPARED TO MAKE THE HARD POLITICAL DECISIONS NECESSARY TO REACH AGREEMENT. THE NEED TO MAKE THE ENTERPRISE VIABLE WAS ALSO STRESSED. GENERAL STATEMENTS WILL CONTINUE THIS WEEK, AND CHAIRMAN ENGO WILL GIVE HIS FINAL REPORT TO THE PLENARY ON FRIDAY.

COMMITTEE II:

2. WEEK OF SEPTEMBER 7-10 DEVOTED TO DISCUSSIONS OF ITEMS OTHER THAN THOSE ON THE PRIORITY LIST: NAVIGATION AND OVER FLIGHT IN INTERNATIONAL STRAITS, DELIMITATION BETWEEN OPPOSITE AND ADJACENT STATES, AND OTHER MISCELLANEOUS ITEMS. DISCUSSION APPEARED INCONCLUSIVE, AND SERVED PRIMARILY AS AN OPPORTUNITY FOR STATES TO VOICE OPINIONS ON ISSUES NOT DISCUSSED DURING FIRST FIVE WEEKS.

3. IN STRAITS GROUP (WHICH MET TWICE DURING WEEK), PROPOSALS WERE SUBMITTED BY ARAB GROUP, MALAYSIA, PRC (WARSHIP DISTICTION). USSR, POLAND, GDR, IRAQ, AND TURKEY SUPPORTED RSNT IN GENERAL. AT CLOSE OF SECOND MEETING, AGUILAR ANNOUNCED INTENT TO HOLD FURTHER DISCUSSIONS IN NEGOTIATING GROUP ON SUBJECT ALTHOUGH TIMING OF MEETING WAS NOT CLEAR.

4. DELIMITATION GROUP ALSO MET TWICE DURING WEEK OF SEPTEMBER 6-10. DEBATE WAS CHARACTERIZED BY "PARING-OFF" OF TRADITIONAL BOUNDARY DISPUTE PARTNERS, I.E. GREECE-TURKEY, IRELAND-UK, ETC. FOCUS OF DISCUSSION WAS CANADIAN PROPOSAL TO AMEND ARTICLES 62/71, PARA 1 TO GIVE MORE WEIGHT TO THE MEDIAN LINE METHOD OF DELIMITATION. THOSE OPPOSING THE MEDIAN LINE METHOD INTERVENED IN FAVOR OF "EQUITABLE PRINCIPLES", OR THE RSNT. THE SPANISH OFFERED AN AMENDMENT TO ARTICLES 62/71, PARA 3 THAT WOULD PROVIDE FOR UTILIZATION OF MEDIAN LINE AS INTERIM MEASURE IN BOUNDARY DISPUTES. IN GENERAL, SPANISH AMENDMENT RECEIVED SUPPORT FROM SAME GROUP AS SUPPORTED CANADIAN AMENDMENT. CHAIRMAN CLOSED SECOND SESSION BY STATING HIS INTENT TO ESTABLISH A SMALL CONSULTING GROUP ON SUBJECT, ALTHOUGH IT IS NOT CLEAR IF UNCLASSIFIED

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AND WHEN SUCH GROUP WOULD MEET THIS SESSION.

5. CHAIRMAN AGUILAR DEVOTED TWO SESSIONS TO MISCELLANEOUS ISSUES. DISCUSSION CENTERED PRIMARILY AROUND COASTAL STATE POLLUTION STANDARD SETTING IN TERRITORIAL SEA, REGIME OF ARCHIPELAGOES, ENCLOSED AND SEMI-ENCLOSED SEAS, BREADTH OF TERRITORIAL SEA, AND BASELINES. DISCUSSION HAD NO CONCLUSIVE RESULTS. CHAIRMAN INDICATED THAT

CONCERNED GROUPS SHOULD CONSULT PRIVATELY AND INDEPENDENTLY,  
AND INFORM HIM OF ANY RESULTS.

COMMITTEE III:

6. THE THIRD COMMITTEE COMPLETED ITS WORK ON MARINE  
SCINETIFIC RESEARCH WITH A REPORT FROM CHAIRMAN YANKOV.  
IN HIS REPORT THE CHAIRMAN INDICATED THAT A COMPROMISE WAS YET TO  
BE FOUND.

DISPUTE SETTLEMENT:

7. INFORMAL PLENARY COMPLETED ARTICLE-BY-ARTICLE REVIEW  
OF ANNEX IC (STATUTE OF THE LOS TRIBUNAL) AND BEGUN  
ANNEX II (SPECIAL PROCEDURES). A LARGE NUMBER OF SPEAKERS  
PARTICIPATED IN DISCUSSIONS ON LARGELY TECHNICAL ISSUES  
CONCERNING PROVISIONAL MEASURES, DEFAULT OF APPEARANCE,  
ADVISORY OPINIONS AND INTERVENTION. SEVERAL DEVELOPING  
COUNTRIES ATTACKED THE SPECIAL PROCEDURES IN ANNEX II,  
WHILE EUROPEAN DELEGATIONS LARGELY DEFENDED THEM. SCRANTON  
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